

REMARKS

By this Amendment, claims 2-8 and 13 are cancelled. Claims 1 and 9-12 are amended. Thus, claims 9-12 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

The specification and abstract have been carefully reviewed and revised in order to correct grammatical and idiomatic errors in order to aid the Examiner in further consideration of the application. The amendments to the specification and abstract are incorporated in the attached substitute specification and abstract. No new matter has been added.

Also attached hereto is a marked-up version of the substitute specification and abstract illustrating the changes made to the original specification and abstract.

The Applicant thanks the Examiner for kindly considering reference "AA" listed on the February 9, 2005 Form PTO-1449. However, the Applicant notes that the Examiner failed to initial next to reference "AO" to indicate consideration of this reference. Accordingly, the Applicant respectfully requests the Examiner to consider reference "AO" listed on the February 9, 2005 Form PTO-1449 and to return to the Applicant an Examiner-initialed copy of the February 9, 2005 Form PTO-1449 to indicate consideration of reference "AO." For the Examiner's convenience, a courtesy copy of each of the February 9, 2005 Form PTO-1449 and reference "AO" are submitted herewith.

Furthermore, the Applicant notes that an Information Disclosure Statement, a Form PTO-1449, a European Search Report and references cited therein were submitted on May 10, 2005, after the mailing date of the Office Action. Accordingly, the Examiner did not have an opportunity to consider the references listed on the May 10, 2005 Form PTO-1449 when the Office Action was mailed. The Applicant respectfully requests the Examiner to consider the references listed on the May 10, 2005 Form PTO-1449 and to return an Examiner-initialed copy of the May 10, 2005 Form PTO-1449 to indicate consideration of the references listed thereon.

The Applicant also thanks the Examiner for kindly indicating, in item 4 on page 7 of the Office Action, that claim 13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the limitations originally recited in cancelled claims 2 and 13. Without broadening or narrowing the scope of protection for the present invention, minor editorial revisions were also made to claim 1 in order to improve the U.S. form of the limitations of original claim 1 and cancelled claims 2 and 13.

In particular, the Applicant notes that cancelled claim 13, in lines 10-12, recited that the number of correlators and the number of memories are the same as the number of signal processing systems. Claim 1 has been rewritten to recite that the finger part includes a plurality of signal processing systems disposed therein, where each of the plurality of signal processing systems is respectively constituted by a correlator and a memory. Rewritten claim 1, however, does not specifically recite that the number of correlators and the number of memories is the same as the number of signal processing systems. However, by reciting that each signal processing system is respectively constituted by a correlator and a memory, claim 1 thus requires the number of correlators and the number of memories to be equal to the number of signal processing systems.

Accordingly, in view of the Examiner's assertion that claim 13 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims, the Applicant respectfully submits that claim 1 is clearly in condition for allowance.

In item 2 on page 1 of the Office Action, claims 9-12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular, the Examiner asserted that the limitation "empty one" in line 12 of claim 9 is confusing and unclear.

As described, for example, in lines 23-27 on page 60 of the original specification (lines 15-19 on page 52 of the substitute specification), the term "empty one" means a base transceiver system which is not being utilized by a communication service company. As recited in claim 9, the base transceiver system information storage means stores information concerning whether each of the plurality of base transceiver systems is being utilized by a communication service company. The search means searches for a base

transceiver system ("empty one") among the plurality of base transceiver systems which is not being utilized by a communication service company.

In order to overcome the rejection of claims 9-12 under 35 U.S.C. § 112, second paragraph, claim 9 has been amended to recite that the search means searches "for a base transceiver system from among the plurality of base transceiver systems which is not being utilized by a communication service company."

Accordingly, in view of the amendments to claim 9, the Applicant respectfully submits that claim 9 is clearly definite by particularly pointing out and distinctly claim the subject matter which the Applicant regards as the invention.

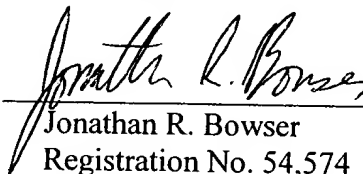
Therefore, the Applicant respectfully submits that claims 9-12 are clearly allowable by overcoming their rejection under 35 U.S.C. § 112, second paragraph.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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